



# Department of Toxic Substances Control



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**October 31, 2003**

**Response to Comments  
for  
Evergreen Environmental Services - Carson Facility  
16604 South San Pedro Street  
Carson, California 90746  
EPA ID No.: CAD 981696420**

## Background

Evergreen Environmental Services (EES) began operations at 16604 South San Pedro in Carson, California in June 1992 under a variance issued by DTSC. EES's operations consist of collecting used oil, waste antifreeze, and oily water from offsite generators (gas stations, oil changers, auto repair shops, etc.) and consolidating the waste before shipping it to a permitted recycling/treatment/disposal facility. On March 14, 1994, DTSC issued a Stipulation and Order (Docket Number 93/94-026) in accordance with California Health and Safety Code, Section 25187, allowing continued operations at EES.

In accordance with the terms of the Stipulation and Order, EES submitted a Standardized Permit application to the California Department of Toxic Substances Control (DTSC) dated March 31, 1994 for continued operations of their hazardous waste storage and transfer facility. The application requested continuation of their existing operations authorized by the Stipulation and Order. The application also requested addition of two (2) drum storage areas to store eighty 55-gallon containers of solid oily waste and ten 55-gallon containers of liquid oily waste.

The Standardized Permit application underwent numerous DTSC reviews and required revisions by EES. On November 23, 1999, DTSC determined that EES's Standardized Permit application was technically complete.

DTSC prepared a draft permit and proposed negative declaration in compliance with the California Environmental Quality Act (CEQA) for this project. DTSC issued a public notice on December 7, 1999 to announce the start of a public comment period. The public notice encouraged the public to become involved in the EES - Carson permit decision process by requesting comments on the draft permit and proposed negative declaration. DTSC permit decisions, such as for the EES - Carson project, are subject to CEQA. As required

under CEQA and State CEQA Guidelines, DTSC conducted an Initial Study to determine whether an EIR or Negative Declaration was required for the proposed project. Based on this Initial Study, DTSC concluded that the EES - Carson project will not have a significant effect on the environment. Therefore, consistent with CEQA and associated Guidelines, DTSC proposed a negative declaration for the EES - Carson project

The public comment period ended on January 21, 2000. DTSC received numerous comments during the public comment period including a request for a public hearing. The request was approved. DTSC extended the public comment period and held a public hearing on February 17, 2000 at the Carson Community Center in Carson.

### Introduction to Response to Comments

DTSC received both written and oral comments (at the public hearing) during the public comment period. A court reporter was present at the public hearing and recorded the proceedings. The court reporter provided DTSC with a transcript of the public hearing. DTSC then excerpted comments from the court recorder's transcript and from written comments received. The persons who made the comments are identified and the comments listed after the person's name. DTSC's response to these comments are given in italics following directly after each comment.

DTSC received numerous comments that had a common theme. To best address the commonly repeated comments, DTSC developed a "Frequently Asked Questions" answers in the beginning of the Response to Comments. These answers to the Frequently Asked Questions will be referenced where appropriate.

### Future Actions

The amount of public comments received and a significant loss of staff at DTSC has resulted in significant delays in issuing this Response to Comments and the final permit decision. DTSC is now issuing this Response to Comments; however, DTSC is postponing the issuance of a final decision on the EES - Carson permit. DTSC recognizes that a significant length of time have elapsed since the end of the previous public comment period. In addition, the draft permit, Initial Study, Negative Declaration, and permit application will be revised to address concerns received during the previous public comment period. DTSC will issue a second public notice to receive public comments on the revised draft permit and associated CEQA documents. Additionally, DTSC will hold a second public hearing to solicit comments. A separate notice with information on the second public comment period and public hearing will be sent to everyone on the mailing in the near future.

### Contact Person

If you have any questions regarding this Response to Comments, please contact Alfred Wong at (510) 540-3946.

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## **Frequently Asked Questions:**

### **1. What are the chemical characteristics and health effects of the wastes stored at the EES - Carson facility?**

The wastes stored at the EES - Carson facility are used oil, waste antifreeze, oily water, and solid oily waste such as debris contaminated with used oil or antifreeze. These wastes are commonly generated by home/car owners, gasoline stations, automobile repair shops, and oil changers etc.

#### **Used Oil**

Used Oil (also called used engine oil) is a mineral-based, brown-to-black, oily liquid removed from the engine of a motor vehicle when the oil is changed. It is similar to unused oil except it contains additional chemicals from its use as an engine lubricant. Examples of used oil are spent lubricating fluids that have been removed from an engine crankcase, transmission, gearbox, or differential of an automobile, bus, truck, vessel, plane, heavy equipment, or machinery powered by an internal combustion engine.

Used oil may also include used industrial oils such as hydraulic oils, compressor oils, turbine oils, bearing oils, gear oils, transformer (dielectric) oils, refrigeration oils, metalworking oils, and railroad oils. However, the majority of the used oil handled at the EES - Carson facility is used motor oil.

The chemicals in oil include hydrocarbons, which are distilled from crude oil, and various additives that improve the oil's performance. Used oil also contains chemicals formed when the oil is exposed to high temperatures and pressures inside an engine. It also contains some metals from engine parts and small amounts of gasoline, antifreeze, and chemicals that come from gasoline when it burns inside the engine.

The chemicals found in used mineral-based crankcase oil vary depending on the brand and type of oil, whether gasoline or diesel fuel was used, the mechanical condition of the engine that the oil came from, and the amount of use between oil changes. However, used oil handled by the EES - Carson facility must meet the following standard:<sup>1</sup>

- \* Minimum flash point of 100 degrees Fahrenheit;
- \* Total halogens content of 1000 mg/kg (ppm) or less;
- \* Total polychlorinated biphenyls (PCBs) concentration of 5 mg/kg (ppm) or less; and
- \* Has not been mixed with hazardous waste, as defined in Title 22, California Code of Regulations, other than minimal amounts of vehicle fuel.

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<sup>1</sup> California Health and Safety Code, Division 20, Chapter 6.5, Section 25250.1

The health effects of used mineral-based crankcase oil vary depending on the brand and type of oil used and the characteristics of the engine it came from.

Mechanics and other auto workers who are exposed to used mineral-based crankcase oil from a large number of cars have experienced skin rashes, blood effects (anemia), and headaches and tremors. However, these workers are also exposed to other chemicals, which may have caused these health effects.

Volunteers who breathed mists of used mineral-based crankcase oil for a few minutes had slightly irritated noses, throats, and eyes. There are few toxicological studies of animals exposed to mineral-based crankcase oil. Animals that ate large amounts of this oil developed diarrhea. Thus, people who swallow used mineral-based crankcase oil may also have diarrhea.

Studies of rats ingesting large single doses (9,000-22,500 mg/kg) of used mineral-based crankcase oil found no adverse health effects other than diarrhea.<sup>2</sup>

Additional information on the health effects of used oil can be found on the Agency for Toxic Substances and Disease Registry (ASTDR) website:

<http://www.atsdr.cdc.gov/toxprofiles/phs102.html>

The Agency for Toxic Substances and Disease Registry is an agency of the United States Department of Health and Human Services. ASTDR's mission is to serve the public by using the best science, taking responsive public health actions, and providing trusted health information to prevent harmful exposures and disease related to toxic substances

### **Waste Antifreeze**

Antifreeze (commonly ethylene glycol) is added to your radiator to keep the fluid from freezing in winter and overheating in summer. Ethylene glycol is a clear, colorless, slightly syrupy liquid at room temperature. Ethylene glycol has a sweet smell and tastes. Ethylene glycol also has a relatively high boiling point and a relatively low freezing point. Ethylene glycol is not considered reactive, corrosive, or ignitable.<sup>3</sup> Ethylene glycol is also not hazardous due to inhalation toxicity, acute aquatic toxicity, or carcinogenicity.

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<sup>2</sup> Toxicological Profile for Used Mineral-based Crankcase Oil , September 1997, Agency for Toxic Substances and Disease Registry

<sup>3</sup> Regulation of Ethylene Glycol Wastes in California, A Regulatory Interpretation, December 1993, California Department of Toxic Substances Control

Ethylene glycol is widely sold in grocery stores and in automobile supply, discount, drug, and other stores throughout the United States for general use as an antifreeze/coolant in automobile radiators. Additionally, it is used in the manufacturing or blending of polyester products; aircraft and runway de-icing fluids; heat transfer fluids used in heating, ventilation, and air conditioning systems; polyester resins; humectants; alkyd-type resins; plasticizers; electrolytic capacitors; low freeze dynamite; and brake and shock solutions. Ethylene glycol is also used in the production of artificial mists or fogs.

Before use, antifreeze is not considered a hazardous waste. After antifreeze goes through a radiator it may become contaminated with gasoline, oils and metals. Many of these contaminants, particularly metals and benzene (from gasoline), are toxic and can cause the used antifreeze to become strictly regulated as a hazardous waste. Some of the metals commonly found in used antifreeze include lead, mercury, cadmium, chromium, copper, and zinc. However, most waste antifreeze does not contain these contaminants at levels which will exceed federal or state hazardous waste standards.

Information regarding health effects of ethylene glycol following inhalation exposure is limited. Throat and upper respiratory tract irritation was observed after 1.5 minutes of inhalation exposure of volunteers exposed to a concentration of 55 ppm ethylene glycol. Doses above 79 ppm were very irritating and were not tolerated for more than 1 minute. Because of the low vapor pressure of ethylene glycol, however, the potential inhalation hazard in the vicinity of a hazardous waste management facility is considered to be low.

Dermal exposure, through activities such as changing antifreeze, is the most likely route of exposure to ethylene glycol, but dermal exposure is not likely to lead to toxic effects. Only oral exposure, through accidental or intentional ingestion, is likely to lead to such effects, and then only if a sufficient amount is swallowed at one time.

Eating or drinking very large amounts of ethylene glycol can result in death, while large amounts can result in nausea, convulsions, slurred speech, disorientation, and heart and kidney problems.

Female animals that ate large amounts of ethylene glycol had babies with birth defects, while male animals had reduced sperm counts. However, these effects were seen at very high levels and would not be expected in people exposed to lower levels.

Ethylene glycol affects the body's chemistry by increasing the amount of acid, resulting in metabolic problems.<sup>4</sup>

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<sup>4</sup> Toxicological Profile for Ethylene Glycol and Propylene Glycol, September 1997, Agency for Toxic Substances and Disease Registry

The United States Department of Health and Human Services (DHHS), the International Agency for Research on Cancer (IARC), and the United States Environmental Protection Agency have not classified ethylene glycol for carcinogenicity. Studies with people who used ethylene glycol did not show carcinogenic effects. Animal studies also have not shown ethylene glycol to be a carcinogen.

Additional information on the health effects of waste antifreeze can be found on the Agency for Toxic Substances and Disease Registry website:

<http://www.atsdr.cdc.gov/tfacts96.html>

### **Oily Wastewater**

Oily wastewater is water contaminated with minimal quantities (typically up to 10%) of used oil. Oily wastewater is generated in many types of industrial situations such as washing garage floors, cleaning of engines, etc.

If the quantity of used oil in the oily wastewater is high enough, the health effect will be similar to that of used oil.

### **Oily Solid Waste**

The EES - Carson facility is proposing to store oily solid waste such as soil and debris contaminated with oil (e.g., oily rags, cat litter used to absorb small oil spills at gas stations, etc.) in 55-gallon drums.

If the quantity of used oil in the oily solid waste is high enough, the health effect will be similar to that of used oil

## **2. Why was a Negative Declaration prepared for this project and not an Environmental Impact Report?**

The Department of Toxic Substances Control (DTSC) conducted an Initial Study, as required by the California Environmental Quality Act (CEQA) and assessed environmental impacts in 19 categories (earth, air, surface and ground water, plant life, animal life, land use, natural resources, risk of upset, transportation/circulation, public services, energy, utilities, noise, public health and safety, aesthetics, cultural/paleontological resources, cumulative effects, population/housing/recreation, and mandatory finding of significance) associated with the project. The determination to prepare an Environmental Impact Report or a negative declaration is based upon the findings of the initial study. The results of the Initial Study indicated that no significant impacts would result from the project, due to the nature and volume of the wastes handled at the site. Therefore, a Negative Declaration was prepared in accordance with the CEQA Guidelines.

### **3. What is EES - Carson land use history?**

Evergreen is located at 16604 South San Pedro Street in Carson, approximately 600 feet southeast of the intersection of Avalon and Gardena Boulevards. The area is zoned for heavy industrial land use (local zoning designation of MH).

Prior to industrial development (before 1985), one oil well was drilled on the site. The one oil well on the current EES site was owned by Occidental Petroleum Company. Eight additional oil wells were drilled on adjacent parcels. Five of the wells were owned by Occidental Petroleum Company. The other three were owned by Western Springs Petroleum Company. All of the oil wells were closed under the State's supervision.

On February 22, 1985, GNS Petroleum applied for a transfer station permit to temporary store used oil waiting to be shipped to other locations. In January 1987, Rutherford Pacific leased the site for the operation of a used oil transfer station. Two years later in January 1989, California Waste Oil Management, a division of the Petroleum Recycling Corporation, leased the property and continued to use the facility for the same purpose. In 1993, Evergreen Environmental Services started its operation on the site.

### **4. Why is EES - Carson allowed to expand?**

The decision to increase storage capacity is an Evergreen's business decision. Evergreen proposes to add storage capacity for eighty 55-gallon drums of soil or debris contaminated with used oil, antifreeze, or oily wastewater, and ten 55-gallon drums of liquid used oil, antifreeze, or oily wastewater. There will be no additional storage tanks. The proposed capacity increase will be about 5 percent of total existing capacity. DTSC has determined the impacts of the proposed expansion to be insignificant.

The expansion may require a new land use decision that lies within the City of Carson's jurisdiction. The City will make its own discretionary decision.

## **Specific Comments and Responses**

**Commentor: Yolanta Schwartz, Associate Planner, City of Carson**

### **Comment #1 (Initial Study Corrections)**

The Project Description section does not adequately describe the collection, storage and transfer of contaminated soil and other oil contaminated solid wastes, as proposed by the applicant.

#### **Response:**

*Evergreen is proposing to bring drums of soil and debris contaminated with oil to the EES - Carson facility for storage. The soil and debris contaminated with oil are considered to be solid waste and would include items such as oily rags, cat litter used to absorb small oil spills at gas stations, etc. These drums would be collected from offsite generators and brought to EES - Carson where they would be placed in the proposed drum storage area for up to one year. EES may also bring drums of solid waste to the facility on a transfer basis (less than 10 days).*

*DTSC will revise the Initial Study and will include additional information on the collection, storage and transfer of contaminated soil and other oil contaminated solid waste by EES.*

### **Comment #2 (Health Effects)**

The effects on the environment from the oil contaminated solid waste must be addressed. For example, what effects one may expect from hydrocarbons from the contaminated soil? Are there any other chemicals such as lead or MTBE that are of potential concern.

#### **Response:**

*EES - Carson will not handle solids containing gasoline wastes.*

*For health effects from used oil, see Frequently Asked Questions #1.*

### **Comment #3 (Initial Study Corrections)**

The Planning Department has determined that this use, a collection and transfer facility will require a Conditional Use Permit (CUP). The Initial Study needs to indicate this determination (Page 14 and 21 of the Initial Study).

**Response:**

*DTSC will revise the Initial Study and will include the City of Carson's request to include a statement regarding the City of Carson's determination that the collection and transfer facility will require a Condition Use Permit.*

**Comment #4 (Initial Study Corrections)**

On page 21 (bottom) of the Initial Study, it shows that Evergreen has operated at this location since 1975. Please correct the date.

**Response:**

*The Commentor is correct. This was a typographical error. It should be have read "1992." DTSC will revised the Initial Study and correct this error.*

**Comment #5 (Initial Study Corrections)**

On the footnotes of the Initial Study, there is an incorrect reference to one of the City of Carson's Planners. His name is Carson Anderson.

**Response:**

*Comment noted. This is in reference to Footnote 5, page 29, Attachment A to the Initial Study. DTSC will correct this error in the revised Initial Study.*

**Comment #6 (Initial Study Corrections)**

Include in the Initial Study's narrative the history of previous users and prior operations.

**Response:**

*Comment noted. See Frequently Asked Questions #3. DTSC will revise the Initial Study and will include an expanded land use history.*

**Comment #7 (Permit Process)**

Address in more detail the permitting process and why the permits were not necessary in the past.

**Response:**

*The California Legislature passed the Hazardous Waste Control Laws in 1972. The U.S. Congress passed the Resource Conservation and Recovery Act (RCRA) in 1976.*

*These two laws require all facilities that treat, store or dispose of hazardous waste to obtain a permit. In August 1991, DTSC received authorization from the United States Environmental Protection Agency (U.S. EPA) to implement the federal RCRA program in California. As such, DTSC became the sole agency conducting comprehensive technical reviews of permit applications for hazardous waste facilities.*

*In 1992 the California legislature enacted the Wright-Polanco-Lempert Hazardous Waste Treatment Permit Reform Act (Assembly Bill 1772 of 1992) that made important changes to California laws governing the treatment and storage of hazardous waste. The Act established a five-tiered hazardous waste permit program to treat or store hazardous waste. The five tiers include the full permit, the standardized permit, the permit-by-rule, the conditionally authorized and the conditional exempt tiers.*

*The EES - Carson operations do not require a permit under federal law (RCRA). Therefore, it falls under the Standardized Permit, which is reserved for hazardous waste operations that require a permit under California law but are exempted under federal law.*

*All facilities that meet the AB 1772 requirements for the Standardized Permit tier were given interim authorization by DTSC pursuant to AB 1772. EES was granted a variance on May 28, 1992 by DTSC. Subsequent authorization was granted under a Stipulation and Order to allow for continued operation of this existing facility pending processing of its permit application. This information will be added to the revised Initial Study.*

### **Comment #8 (Violations)**

It may be appropriate to mention whether or not US EPA or other agencies had any complaints or observed any violations in the past as result of Evergreen operations and what were the results/corrections. The City of Carson Public Safety Department has not records of ever receiving any complaints on this property.

### **Response:**

*DTSC's fact sheet disclosed that EES - Carson has been cited for minor violations based on past inspections. US EPA does not regulate EES's operation. In April 2001, DTSC verbally contacted the South Coast Air Quality Management District (SCAQMD) and in June 2001 contacted the Los Angeles County Department of Public Work to inquire if the agencies had cited Evergreen for any violations. These two agencies have not cited Evergreen for violations. DTSC also contacted the Los Angeles County Fire Department Health Hazard Division. The County Fire Department inspected Evergreen in May 1999 and cited Evergreen for manifest and training violations. The violations were abated in June 1999. No violations were noted in April 2001 inspection.*

**Commentor: Toxic Assessment Group**

**Comment #9 (Local Laws and Permits)**

Did DTSC ascertain whether the proposed use is actually permitted according to local government regulations? The Initial Study states that the project does not require a conditional use permit as this activity is an approved use for this zoning. This interpretation is based on the classification of EES as a storage facility, whereas the change in use would classify the EES as transfer facility for petroleum products, which is not permitted in the MH zone on the property, according to City of Carson Community Planning Manager Sheri Ropp.

It appears that EES has represented its facility as a petroleum storage facility to the City of Carson in the past. This raises troubling questions about the level of disclosure to the City that has taken place, given that the facility has operated in the City of Carson since 1993. This circumstance makes it utterly imperative that DTSC re-examine the issue of whether the proposed facility is consistent with local land use regulations, particularly because the EES facility is, under the law, a hazardous waste facility.

**Response:**

*According to Ms. Yolanta Schwartz, Senior Planner, City of Carson, a Conditional Use Permit will be required if the Standardized Permit is approved with the additional 90 55-gallons drum storage capacity. DTSC's Standardized Permit, if approved, would allow EES the option of constructing two drum storage areas. Once EES decides that it will proceed with the construction, EES will be required to obtain the necessary land use permit from the City of Carson prior to construction. DTSC will revise the Initial Study and will include additional information on the land use permit aspect of EES.*

*In addition, the revised permit would contain a condition that the drum storage units can not be operated unless EES demonstrates to DTSC that local land use requirement has been met.*

**Comment #10 (Environmental Impact Report)**

The documentation provided by DTSC is largely missing historical context for the site. The surrounding community has the right to know that the previous operator at the site was Petroleum Recycling Corporation (PRC), an operator of less than sterling operational history that left a legacy of spills and problems in many communities in California. When did EES acquire the site from PRC? What activities were conducted by PRC? What was the use of the site prior to PRC? What was the condition of the site when EES took it over? Has the site always been paved? Is there a history of spills or remediation activities at the site? This history should be provided in the interests of meeting the full disclosure

requirements of CEQA. More important, it should motivate DTSC to rigorously examine the history of the site, and to independently verify that the Phase I analysis presented is adequate to sustain the conclusion that further investigation or corrective action is not needed.

**Response:**

*As stated in Frequently Asked Questions #3, the site contained an oil well prior to industrial development. The oil well was closed under State supervision. GNS Petroleum operated a transfer station at the site in 1985. In January 1987, Rutherford Pacific leased the site for the operation of a used oil transfer station. In January 1989, California Oil Waste Oil Management, a division of Petroleum Recycling Corporation, leased the property and continued to use the facility for the same purpose. In July 1991, Conservtech conducted an inspection of the site as part of the Phase 1 assessment for Evergreen Holding Inc. prior to EES starting operation. Conservtech personnel observed seven (7) aboveground tanks on a concrete pad for the storage of waste oil and antifreeze in a central area of the property. Several 55-gallon drums, containing engine oil and transmission fluid, were also observed near the southern edge. An aboveground diesel tank and dispenser was located near the southwest corner of the facility. A sump in the tank pad collected spilled liquid that was pumped into one of the seven tanks. Minor oil stains were evident on the pavement east of the tank pads; however, Conservtech personnel noted that the grounds surrounding the tanks appeared to be quite clean. All the tanks and containers were emptied and removed during August to September of 1991. EES received a variance from DTSC to construct a new used oil transfer facility in June 1992. EES started operations in May 1993.*

*Conservtech completed Phase I and II Environmental Site Assessment and a Supplement to the Environmental Site Assessment (Supplement) for Evergreen Holding Inc. The Phase I Assessment consisted of a review of public agency records of the site as well as adjacent properties to identify incidents or activities likely to cause or contribute to a release of hazardous substances. The Phase II Assessment consisted of soil sampling to better determine if there was presence of any hazardous constituents in the soil. The sample locations were chosen to investigate those areas associated with past oil well development and former storage tanks as well as the perimeter of the property. Four samples were taken in August 1991 and results found elevated concentration of Total Petroleum Hydrocarbons (TPH) in the area of former storage tanks. The highest TPH concentration came from one sample taken at 5 feet below ground surface which showed TPH concentration of 2,500 parts per million (ppm). Another sample taken at 3 feet below ground surface showed TPH concentration of 1,600 ppm. The Supplement was conducted to determine if the August 1991 analytical*

*results were indicative of a broader subsurface problem and to explain the source of the TPH in soils.*

*On September 26, 1991, four trenches, located near the perimeter of a former concrete pad where seven aboveground waste oil storage tanks were situated, were excavated to obtain soil samples. It was noted that a well-defined layer of black material several inches thick was found at a depth of 3.5 to 5.5 feet in the side walls of the four trenches.*

*The subsurface layer of black material had the general appearance and physical properties of asphalt concrete and appeared relative uniform in the former tank area. The Supplement suggests that the material was used to build on-site roads that traversed the property during the oil field development. Photographs from 1970 and 1975 showed these roadways. The Supplement concluded that the elevated TPH concentrations reported in several soil samples were obtained at or near the roads which traversed the property prior to the import of fill material (soil).*

*Groundwater at the site is at least 120 feet below ground surface. The assessment did not indicate any groundwater contamination. EES included the environmental assessment as part of their permit application.*

*DTSC has reviewed the assessment provided by EES and has concluded that no further investigation or corrective action is necessary.*

*DTSC will revise the Initial Study and include this information.*

#### **Comment #11**

We observe that the “exempt” operations are given virtually no explanation in any of the documentation, including the Fact Sheet. TAG is aware that the “exempt” ten-day hazardous waste storage issue is not part of the permit. However, the purpose of CEQA is to provide full disclosure to decision makers and interested parties. Interested members of the community are not likely to understand from the documentation that hazardous wastes, including RCRA wastes, may be stored at the site for up to ten days.

#### **Response:**

*In the Project Description, it states that Evergreen is a registered hazardous waste transporter. Pursuant to section 66260.10, Title 22, California Code of Regulations (22 CCR), a transporter may legally remove packaged or containerized waste from a transport vehicle and the waste may then be stored up to 10 days in an appropriate location at the facility in compliance with all local, state and federal requirements.*

*Furthermore, pursuant to 22 CCR 66263.18, a transfer facility is not subject to the permitting requirements for waste storage when, during the normal course of transportation, hazardous wastes are held for 6 days or less, or 10 days or less for transfer facilities in areas zoned industrial by the local planning authority, as long as: (a) manifested shipments of packaged or containerized hazardous wastes are only transferred from one vehicle to another, and (b) the packages or containers are the same packages or containers..*

*DTSC will revise the Initial Study and will include the “exempted” operations in the description section to provide a better understanding of the operations at the facility.*

## **Comment #12**

In the Negative Declaration and Initial Study we find that there is a superficial analysis of Risk of Upset and a complete lack of contemplation of Catastrophic Release. The inadequate consideration of these two items by itself renders the Negative Declaration inadequate. Under Risk of Upset, there is no analysis of risk at all, only platitudes about how hoses minimize the potential for spills and low volatility materials minimize air emissions. The reality is that the operation is entirely manual, with no automatic monitoring or shutoff. This results in a circumstance where human error will result in accidents and spills. The Risk of Upset section is cavalier, conclusory, and entirely inadequate. As noted, there is not even any mention of Catastrophic Release. We acknowledge that the materials handled are relatively non-volatile, but they are flammable. In addition, the 612 Code, which includes household hazardous waste, is listed in the Waste Analysis section of the application. As is well-known, household hazardous wastes can contain dangerous and potentially deadly materials, which could greatly increase the risk if an incident were to occur.

## **Response:**

*Please refer to the Initial Study (Project Description Section, Sections 1, 3, 8 and Figure 2) which describes existing secondary containment to contain accidental releases of hazardous wastes. Further, the analysis state “waste management practices, safe operating procedures and an inspection program in the facility operation plan” are required to eliminate, if not lessen, the potential for significant impacts due to upset conditions.*

*The household hazardous waste (code 612) that Evergreen intends to receive are only used oil and waste antifreeze.*

*DTSC recognizes that additional analysis can be added to the Risk of Upset section, including information on catastrophic release. DTSC will revise the Initial Study and will*

*include additional information on Risk of Upset analysis and impacts of a catastrophic release.*

### **Comment #13 (Safety Precautions)**

The operations at the site rely entirely on manual operations, without error, by a group of humans who will at some point be tired, grumpy, or inattentive, and may not even be Evergreen employees (truck drivers that are not Evergreen employees). The greatest potential for Risk of Upset lies in human error, such as a collision of trucks at the site or a failure to connect hoses properly. There is no mention of automated alarm systems or monitors. No mention is made of the established park adjacent to the facility or to potential impacts on park users in the event of an incident. It is simply not credible to conclude, as this Negative Declaration does, that there is no possibility of adverse effect. Under the operational conditions at this facility, an accident is virtually inevitable. We hope it will be minor. In any case, the Negative Declaration is faulty and must be revised. The analysis does not support the conclusion.

#### **Response:**

*Please refer to the discussion of Hemmingway Park as described in Section 6, under Land Use, and Section 14, Public Health and Safety. The environmental setting for these sections address potential risks and measures to minimize any potential exposure to people from these wastes, as currently exist at this facility.*

*DTSC will revise the Initial Study and will include additional information to clarify our analysis.*

### **Comment #14 (Environmental Impact)**

The Public Health and Safety section is also flawed by the failure to acknowledge any Risk of Upset. The Public Health and Safety section is analyzed entirely in terms of private, that is, employee, health and safety risks. This analysis is inadequate even with regard to the personnel, because there is no analysis of health and safety issues in the event of an upset. This omission is enough to render the section inadequate, but the problem is compounded because there is no mention at all of the adjacent park, where persons recreating could be significantly affected by an operations upset at the facility. This section must be completely rewritten to reflect the reality that a hazardous waste facility simply cannot be found to present absolutely no possibility of adverse effect.

#### **Response:**

*See Response to Comment #84. DTSC will revise the Initial Study and will include additional information to clarify our analysis*

### **Comment #15 (Environmental Impact)**

The Project Information in the Initial Study (IS) states that EES is a registered hazardous waste transporter, as it must be, and elsewhere the IS details the training that EES employees undergo. This raises obvious questions about potential non-EES employees. Will there be trucks operated by non-EES personnel using the facility? How will they be trained? The fact that operational and safety systems are entirely manual puts great emphasis on the need for training and for highly skilled operators. No such emphasis is evident in the application or in the environmental analysis.

#### **Response:**

*Evergreen is a registered hazardous waste transporter. They own the trucks that are used for their operations. EES employees drives the EES trucks. On occasions, EES accepts waste from independent contractors. All independent truck drivers are required to be licensed. However, the unloading operations are conducted in the presence of EES employees. EES can not mandate the specified type of training the independent truck drivers received. The EES truck drivers are properly trained in procedures for the proper pick up of the waste at every collection site, transport the waste to the EES - Carson facility, and transfer the waste to the appropriate tank or truck.*

### **Comment #16 (Secondary Containment)**

The facility is allowed to accept a variety of RCRA and non-RCRA wastes and store them for up to ten days. This function is not formally part of the permit process but should be addressed in the interests of full disclosure. TAG cannot determine from the information made available whether the secondary containment for the facility is sufficient to handle the exempt volume as well as the regulated volume. This issue could be very important in the event of an upset incident or a catastrophic release. DTSC must analyze the containment to make sure that it can adequately handle any spills of any material that may occur, exempt or not.

#### **Response:**

*The exempt waste is not part of the permit. The secondary containment in the facility is intended for the regulated waste. If EES chooses to place exempt wastes into the regulated secondary containment area, the exempt waste must be compatible with the regulated waste. In addition, the required secondary containment capacity for the regulated waste will be reduced by the volume of exempt waste.*

### **Comment #17 (Public Participation)**

TAG also has a number of concerns about the adequacy of DTSC Fact Sheet dated 12/99, announcing the comment period for the Draft Standardized Hazardous Waste Facility Permit and Proposed Negative Declaration for the Evergreen Environmental Services, Carson Facility. This document is likely to provide the bulk of the information that interested local residents will receive about the facility, the application, and the process, and as such, should be accurate and adequate to provide comprehensive information to lay persons. However, this Fact Sheet does not perform those functions. We list a variety of deficiencies in the Fact Sheet, in no particular order: (Include Comments 19 and 20)

(Public Participation) The document (Fact Sheet) does not address the location of sensitive receptors, such as residential development, schools and parks in relationship to the facility. The small map on the third page of the Fact Sheet notes the existence of "Hemingway Park", but there is no way that the reader would know that the park actually abuts the facility, separated by an 8 foot high concrete fence. TAG cannot determine if the DTSC made any effort to better understand the use of the park and any of the organized sports or other activities and if there were any concerns relative to the use of the park. It is TAG's understanding that the DTSC Public Participation Guidance Manual requires that all sensitive receptors (residential development, schools, parks, and so forth) be identified in fact sheets that the DTSC provides to the public on a given site. This guidance was not followed.

Response:

*DTSC agrees that the fact sheet should have specifically stated that the facility is located close to residences, schools and a park. DTSC will be issuing a new fact sheet for this project which will incorporate this information.*

### **Comment #18 (Public Participation)**

Given the location of residential development, schools and the park, the Fact Sheet should have discussed the transportation routes that will be used by the hazardous waste trucks traveling to and from the facility.

Response:

*DTSC agrees that the fact sheet could more effectively address the traffic issues. However, the fact sheet does refer the reader to information repositories with such documents as the CEQA Initial Study that discuss this issue in detail.*

### **Comment #19 (Public Participation)**

In addition to the Fact Sheet not advising the community that the EES site will be an exempt transfer facility, with the ability to accept a host of RCRA and non-RCRA hazardous wastes and store them up to 10 days, the Fact Sheet is not clear that the new permit will also allow EES to accept hazardous wastes from household hazardous waste collection centers. According to DTSC project staff, this waste stream could include a wide variety of hazardous wastes, depending on the nature of local household hazardous waste collection operations.

#### **Response:**

*The household hazardous wastes that Evergreen intends to accept are only limited to used oil and waste antifreeze. A permit condition will be added to clarify this operation.*

### **Comment #20**

...the application has been revised in response to a Second Notice of Deficiency from DTSC dated 8/23/96. One additional California Waste Code, 612, has been added to reflect the storage and transfer of household hazardous wastes, which consist of used oil, oily water, antifreeze or solid oil-contaminated debris. Was the facility accepting 612 prior to the NOD dated 8/23/96? It is unclear how the inclusion of 612 would be a part of an NOD.

#### **Response:**

*In the Second Notice of Deficiency dated August 23, 1996, Section III, Subsection A of the Identification of the Waste Handled, the waste code 612 is not mentioned. But the waste code 512 for empty containers (See Response to Comment #93) was there. Evergreen has not accepted 612 (household waste) waste in the past.*

### **Comment #21**

The Facility Location section in the permit application does not discuss the residential development, existence of an adjacent park, or the location of schools in the area.

#### **Response:**

*The land use around the facility is discussed in the environmental analysis required under the California Environmental Quality Act (CEQA ) which are integral part of the permitting process. The Initial Study was prepared for EES - Carson project and has*

*details on the land uses around the facility. DTSC will revise the Initial Study and will include additional information on surrounding land use.*

## **Comment #22**

Exhibit II-5 is titled the Carson Transfer Site Process Flow Diagram. The diagram indicates that the facility will accept 221, 222, 223, 241, 491, 133, 134, 135, 343, 352, and 513. It does not include the addition of 612 (Household Hazardous Wastes). However, in the Waste Analysis (Section III), waste code 612 is listed. Also in the Process Flow Diagram, 513 is identified as "empty drums". In Section IV-2, waste code 512 is used for "empty containers" and 513 is not mentioned. There appear to be inconsistencies in the lists of waste streams that will be accepted at the facility. How is "empty" defined for containers or drums? Furthermore, it appears that the list of waste streams that will be accepted at the facility is being significantly expanded. The DTSC's Compliance Evaluation Inspection Report dated 2/18/99 (date of inspection 12/17/98) lists the waste streams being accepted by the facility as 221, 222, 243, and 134.

### **Response:**

*Additional California wastes are added because of the facility proposal to add capacity to store eighty 55-gallon drums of solid waste contaminated with oil and ten 55-gallon drums for used oil and/or waste antifreeze*

*California Code of Regulations, Title 22, Division 4.5, Chapter 11, Article 5, Section 66261.126, Appendix XII has the definition of the California waste codes. Waste code 513 is empty containers less than 30 gallons. Waste code 512 is other empty containers 30 gallons or more. Evergreen has used these two waste codes interchangeable in their application.*

*The Carson Transfer Site Process Flow Diagram was modified quite a few times and in the final version the waste code 612 was inadvertently left out.*

*EES will revise the Standardized Permit application. These errors will be corrected prior to DTSC's issuance of a second public notice to announce the start of a public comment period to solicit comment on the project.*

## **Comment #23**

Exhibit II-7 titled Location of Nearby Streets and Roads is a map that has a large square with the wording "Carson Site" in the middle of the section that is relevant to understanding the area in close proximity to the facility. This map is used in some of the other material in

the permit package. The identification “sign” blocks out information that could be important to the reader. The map should be replaced.

**Response:**

*Exhibit II-7 will be replaced with a more appropriate map.*

**Comment #24**

Section I of the document does not include a signature of the owner of the property. The Section includes an unsigned block stating, “Give original dated signature of the property owner in acknowledgment of the following: I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments, based on my inquiry of those individuals immediately responsible for obtaining it, the information is true, accurate, and complete. Thus informed, I certify that I am fully aware of the type of business and associated operations that will be conducted on my property.” Under the signature line there is the following insert in brackets “Not provided - Property owner informed. See certification, paragraph 1.”. On the following page is an insert by the facility operator and includes the following statement “...I further certify that the property owner has been informed that a hazardous waste facility will be operated on the premises.” This document is signed by an Evergreen representative and is dated 10/14/97. However, many of the attachments to the Standardized Permit are dated 1999. It is unclear how something could be certified two and one half years before it was completed. Given the expansion of the waste streams and activities at the site it would seem appropriate for the DTSC to require the signature of the property owner.

**Response:**

*The property owner signature has been provided and is now included in the Standardized Permit application.*

**Commentor: Roye Love**

**Comment #25 (Cumulative Effects)**

The City has from 30 to 40 pipelines and at least 15 tanks. We’re talking about additional storage tanks, so it must mean the volume is going to increase. I think we need to look at just what the accumulation of all of the hazardous materials, the things that we already have, to see what that kind of reaction there might be and what it is going to have upon our fragile environment.

**Response:**

*Evergreen Environmental Services has been at the present location (16604 South San Pedro) since 1993. The Standardized Permit (If issued) will allow the EES - Carson facility to continue its existing operations. It would also allow storage of an additional eighty 55-gallon drums of soil or debris contaminated with oil and ten 55-gallons drums of used oil, antifreeze, or oily water. There will be no additional storage tanks. The proposed capacity increase will be about 5 percent of total existing capacity. DTSC has determined the impacts of the additional storage capacity to be insignificant.*

**Comment #26 (Environmental Impact Report)**

There are hazardous, toxic, and carcinogenic predisposing kind of conditions and the finding of no significant impact is one that we would like to ask the state to review again. I urge you to change the negative declaration to perhaps one that would say another location would be more suitable, but at the very least do an environmental study. I believe when you see most of these things, you'll probably conclude that perhaps we need an environmental impact report.

**Response:**

*DTSC conducted an Initial Study which evaluated EES's operations and concluded that the operations would not have an significant impact on human health and the environment. Therefore, DTSC proposed to issue a negative declaration for this project rather than requiring an Environmental Impact Report. See also Frequently Asked Questions #2.*

**Comment #27 (Health Risk Assessment)**

Let us also do a toxic health assessment. Give us a fix on approximately how many cancers to expect. We would see how many cancers you would predict in this kind of a situation and exactly what kind of illnesses. I'm not sure you took the elementary school into consideration. And there's another school, Del Amo, right down the street. And in this instance we have a park right next door to this facility. It (the facility) is less than 2,150 feet from Sunview and Galaxy West, the homeowners' group where you have 1,000 people. And certainly any kind of expansion is going to expose us to a much greater risk. When we consider the long-term environmental effects, the long-term impact upon the health of our people, most of studies look at a life span of 70 years or so. So I think we need to look at that and I think we can come up with a much different kind of situation.

**Response:**

*The emissions from used oil, waste antifreeze and non-RCRA oily wastewater at the EES - Carson facility are minimal. The materials have a low vapor pressure and are not considered a significant source of volatile organic emissions. Evergreen has a permit for every tank (point source) from the South Coast Air Quality Management District.*

*As indicated in Frequently Asked Questions #1, the wastes managed by Evergreen have relative low hazards. However, it is evident that these wastes still pose some environmental hazard if they are mismanaged, e.g. disposed of unto the ground or to storm sewer*

*Design and operational measures are in place and described in the Standardized Permit and the Operating Plan to prevent spills or to assure that releases would not affect the environment. EES - Carson has a bermed concrete containment area around the holding tanks and a loading and unloading area sloped to a sump to contain spills and releases. Measures to minimize the potential for accidental releases include weekly inspections of the hoses and daily inspections of the tanks and secondary containment systems. Facility personnel will supervise waste transfer activities. Evergreen has a Contingency Plan that outlines the response procedures facility personnel must follow in the event of a release. The facility also has spill containment equipment.*

*Based on the low toxicity threat of the waste streams handled by the EES - Carson facility, DTSC does not believe an health risk assessment is necessary.*

**Comment #28 (Enforcement)**

They (Evergreen) started in 1993, so we need to look at their violations and how those situations were taken care of.

**Response:**

*EES has been on the site in June 1992. DTSC conducted periodic inspections at the facility since Evergreen began its operations. The inspection consists of reviewing records and site tours to ensure that only permitted wastes were accepted; any spills were contained, cleaned up and recorded; routine inspections were conducted; personnel were properly trained; etc. These inspections resulted in the facility being cited for minor violations involving record keeping. Evergreen has since submitted the required documentation and has returned to compliance. All inspection records may be reviewed at DTSC office in Berkeley.*

### **Comment #29 (Siting)**

It's one of the worst places to have a facility. As noble as their purpose is, it is just in the wrong place. You have little kids running out there (in the park) every day who are susceptible to environmental problems. And you have the elderly.

#### **Response:**

*DTSC does not have jurisdiction over the siting of hazardous wastes management facilities. Siting of hazardous wastes management facilities is usually within the jurisdiction of the local planning agency. Once a facility has been sited and an application for a permit submitted to DTSC, DTSC is obligated to review the application to ensure that the proposed project would be operated in a manner that is safe and protective of human health and the environment and to make a determination on the application.*

*DTSC conducted an Initial Study which evaluated EES's operations and concluded that the operations would not have an significant impact on human health and the environment. See also Frequently Asked Questions #1 and #2.*

### **Comment #30 (Public Participation)**

It was commendable that you sent (the notice) to 800 or 900 people, but you sent it to the Long Beach Press Telegram. We don't have that paper here in Carson. If you had used the Daily Breeze and perhaps the L.A. Times, then you'd get most people.

#### **Response:**

*The California Code of Regulations requires that a public notice be placed in a local newspaper of general circulation. The Long Beach Press Telegram fits the legal requirements. But based on community preferences, DTSC agrees that the Daily Breeze is more appropriate for notices about the Evergreen facility and will use it for future notices. DTSC will also send future press releases to the Daily Breeze.*

### **Comment #31 (Traffic Impact)**

Expansion means there are more trucks coming in. And what impact is the additional carbon monoxide going to have? The site is certainly one of the worst ones to have this facility. As noble as their purpose is to recycle oil, it is in the wrong place.

**Response:**

*EES - Carson uses 15 bobtail trucks for the collection of used oil, waste antifreeze and oily wastewater. The trucks generally leave the site between 6:30 and 8:00 a.m. and return between 2:00 p.m. and 6:00 p.m. The trucks typically make one round trip per day.*

*The proposed expansion would add two drum storage areas with a total capacity of 90 55-gallon drums. The expected increase of traffic is about one percent. Therefore, additional carbon monoxide emission due to the increase of traffic is not expected to be significant.*

**Comment #32 (Soil Testing)**

Again, I don't know if there's been any testing of the soil around the area.

**Response:**

*See Response to Comment #10.*

**Comment #33 (Air Quality Monitoring)**

Let's look at some samples and see just in this period of time what has happened and make sure that there are receptors in the area as far as any kind of air pollution.

**Response:**

*EES - Carson has 10 permits (one for every tank on site) from the South Coast Air Quality Management District (SCAQMD) which are renewed annually. EES - Carson is in compliance with their air permits.*

**Commentor: Pinkston Walton**

**Comment #34 (Siting)**

There are approximately 800 homes; 600 in Centerview and about 200 in our tract. Our neighborhood of family homes opened in 1964. These homes were built for families to raise their children, to educate them, to send our people to church and to have family activities. Evergreen was not in existence at that time. My reasoning tells me that this is a necessary facility, but it's in the wrong place. Due to the fact that we have Ralph Bunche Elementary School in our area, and Ambler School in Centerview. We have nurseries. We have a board and care place right there in Centerview. This necessary facility was

created by man to get all the worth that they could out of the earth, so it is needed, but it's in the wrong place.

Why wasn't it put someplace where there isn't a lot of people living? Is there federal government property or lands that can be leased by companies away from where human beings live and breathe every day. What year was that area first leased to any petroleum firm? What I'm trying to ascertain is, were they there before the Carson became a city.

**Response:**

*See Response to Comment #29*

**Comment #35 (Air Quality Monitoring)**

We've noticed that whenever there's an ocean breeze it blows east about 80 percent of the time. If there is a spill, the fumes will go east where our residences are. If it blows west, Centerview will get it. Stevenson Village will also be affected by this same breeze. Is it vented into the air in no form or fashion?

**Response:**

*All tanks are vented to the atmosphere. During normal operating conditions, releases of emission into the air would be minimal due to the low vapor pressure of the waste materials. All tanks are permitted by the SCAQMD. EES - Carson is in compliance with their air permits. See also Response to Comment #27.*

**Comment #36 (Cumulative Effects)**

It's not so much that they are picking up the oily water and bringing it in, but it's the combination of that with whatever's already in the atmosphere. What effect will the fumes have in the atmosphere added to ones that are already there -- and we also have new additives in our petroleum for automobiles and factories.

**Response:**

*The air emissions from EES - Carson's operations are insignificant because of the low vapor pressure of the waste materials. The waste materials handled at EES - Carson are not consider a significant source of volatile organic emissions.*

*See also Response to Comments #27*

### **Comment #37 (Health Risk)**

What do we know about the effect that it's going to have on our children, our grandchildren, our great grandchildren? This one particular treatment or storage area may not be as much of a threat as a spill. We have machinery that will check it to a certain extent, but you can't tell me that a baby's lung and an elderly person's lung are as strong as a teenager's lung. They say don't be outside when the toxic waste is in the air, but you don't know how strong it is and what effect that it will have on each of us.

#### **Response:**

*See Frequently Asked Questions #1 and Response to Comments #27.*

### **Comment #38 (Safety Precautions)**

So I am asking to make some safeguards, make sure that we don't get spillage. We say it's harmless. It's not harmless. If it was harmless, it wouldn't have "toxic" in front of it.

#### **Response:**

*Measures to minimize the potential for releases at EES - Carson include:*

- a) A secondary containment system certified by a professional engineer registered in California, which will capture leaks or spills;*
- b) Before transferring waste into the tanks at the facility, the driver uses the tank sight gauges to measure and ensure there is sufficient capacity in each tank;*
- 3. The driver monitors waste loading and unloading activities, visually inspects the operation and makes sure there are no overfills; and*
- d) The tanks are inspected daily for signs of damage, corrosion and leaks. Any problem immediately brought to the attention of the facility owner/operator for correction.*

*See also Frequently Asked Questions #1.*

**Comment #39 (Capacity)**

Why is it necessary that the capacity of the containers at this facility has to be increased at this time? Control what is there and try to make it a better, safer plant. Please do not issue permits to increase the capacity of the holding capacity of Evergreen.

**Response:**

*See Frequently Asked Questions #4.*

**Comment #40 (Subsidy)**

I would like to know whether or not that this company is being subsidized the federal or state government as Evergreen is doing the state and the community a favor by taking up this toxic and treating it.

**Response:**

*EES is not being subsidized by the State of California or the federal government.*

**Comment #41 (Operations)**

Is there any treatment of any sort at this particular facility. Are chemical changes taking place?

**Response:**

*EES - Carson is a hazardous waste storage and transfer facility. They applied for authorization to collect, bulk, store and transfer liquid used oil, waste antifreeze, oily wastewater, and contaminated solids. No recycling or treatment of any of the waste streams will be allowed under the Standardized Permit. All of the waste must be shipped offsite to a permitted hazardous waste facility for treatment, recycling, or disposal.*

**Commentor: Harry Barron**

**Comment #42 (Environmental Impact Report)**

I'm in total agreement with Mr. Love and Mr. Walton and am totally opposed to these negative declarations when an environmental study should have been, I feel, conducted.

**Response:**

*See Frequently Asked Questions #2.*

**Comment #43 (Siting)**

Mr. Walton said he doesn't want to expand the situation; Mr. Love said that we ought to look at it; and I'm of the opinion that we ought to get rid of it. There are better places in the city of Carson than this neighborhood.

**Response:**

*See Response to Comment #29.*

**Comment #44 (Health Effects)**

It's affecting my neighbors with cancer and everything else. We don't know what the problems are. But even one case of cancer isn't worth keeping the place in its present location?

**Response:**

*See Frequently Asked Questions #1 and Response to Comments #29.*

**Commentor: Aaron Carter**

**Comment #45 (Safety Precautions)**

What have they done to prepared for catastrophic earthquake? What is the preparedness for spills of some kind? When they're full at the same time, that is a lot of material. It will be running downhill on Avalon, toward the Carson mall. Also, how have they prepared for leaks that will release toxic substances into the air?

**Response:**

*Conservtech conducted an assessment of the tank system, including seismic design, as part of the Standardized Permit Application to determine the tanks will perform as designed. The tanks at the EES - Carson facility passed this assessment. The tank system and the secondary containment system is also required to be certified by a professional engineer registered in California. DTSC will require EES to perform a new assessment to ensure the tanks will still perform as designed.*

*See also Response to Comments #38.*

**Comment #46 (Health Effects)**

The Victoria Park School, which is approximately three miles south of the facility has the highest incidences of breast cancer among female teachers of any school in the United States. The golf course which is immediately south of that has been capped and monitored very carefully as it is being renovated to keep the toxic materials from flowing over into the homes adjacent to it. We have the football stadium site, the proposed stadium, the Metro Mall, all of the car wrecking yards along Main Street all contributing to toxic waste.

**Response:**

*See Response to Comment #27.*

**Comment #47 (Siting)**

Its proximity to the park -- it's right over the wall. You say, that wall is tall enough, but it's going to get into the park. I think there's probably land somewhere better for this facility. This land is zoned for heavy industrial use, but it doesn't have a lot of industry around it. It has homes. There is this little finger of land that pokes down into the residential communities and into the park. Actually, that toxic facility sits right in the middle of upper middle class homes, people with beautiful homes, yards well kept, activist, people who go out and work within the community, in the church and in the city. If we could have our way, we'd squeeze them until they moved to Santa Fe Springs or someplace where they have a better shot at some open, raw land, so they can just put their tanks in the back of the truck and move them out there.

**Response:**

*See Response to Comment #29.*

**Comment #48 (Environmental Impact Study)**

So we're asking that you not just give a negative declaration, because we really care about our community.

**Response:**

*See Frequently Asked Questions #2*

### **Comment #49 (Capacity)**

If they'd just left it alone, we would've lived with it. But now they've opened up the game and I think that the toxic committee should look at the entire package. We really want to ask the toxic substance control unit, do not let this thing just pass off now. Let's take some time.

#### **Response:**

*See Frequently Asked Questions #4*

**Commentor: Daryl Sweeny**

### **Comment #50 (Public Participation)**

Notices were sent out about a hazardous waste facility that did not go through the proper channels. First and foremost, the city should have been contacted, so that when I receive my first phone call I would not have sounded as stupid as I did at that particular point in time. Now, you're going to send a letter 30 days from now with a decision. This is our first opportunity as a community to hear some of the issues that concern us, and now you're telling us that seven days from now a snap decision is going to be made. That's ridiculous to come down here and say in seven days we're going to drop a decision on you, but you can mail us some letters over the next several days after you decipher all this technical jargon. So, let's put the brakes on and give the community an opportunity to really understand this. We're going to have to go through this all over again. We might as well do it in the beginning so that when the community does appear at the city Planning Commission at least they will be made aware and be better prepared to understand what the issues are. Because right now the community has to make a decision without the full facts in front of them.

I also heard about the publication in the newspaper. That's the wrong newspaper. Our newspaper is the Daily Breeze.

#### **Response:**

*Although it is unclear why the City did not receive the notices, DTSC agrees that the City should be notified promptly and that the Daily Breeze should be included in press releases and announcements. DTSC will revise the Initial Study and Negative Declaration, and will be issuing a public notice announcing the public comment period to solicit comments on this project. DTSC will ensure that the City of Carson Planning Department and the City Council be notified of this notice.*

*See also Response to Comments #30.*

### **Comment #51 (Environmental Impact Report)**

I agree with the concerns regarding the EIR. You say you can do it with a neg dec without looking at what are some of the potential hazardous problems. I think the presentation tonight at best was weak because I still don't know what the potential problems are if something should happen over there. We're talking about going from liquid storage hazardous waste to solid storage. Not one person stood at this podium and said what are the ramifications of storing solid waste. The federal government doesn't consider it hazardous waste, but the state does. Well, we're in California, so it's hazardous waste to us regardless of whatever kind of titles have put on it. Let's get an EIR, and let's take our time. Because these same people multiplied by five are going to be at the city hearing process. They're going to be at the CUP process.

#### **Response:**

*See Frequently Asked Questions #1 and 2.*

### **Comment #52 (Safety Precautions)**

Someone raised the question about any accidents. From a historical perspective, have there been any accidents, and if so, you know, what happened in those instances?

#### **Response:**

*Every facility that manages hazardous waste in California is required to report to the Department of Toxic Substances Control (DTSC) any accident that result in releases of hazardous materials. There is no record of any releases at Evergreen in DTSC's files. The City of Carson Public Safety Department has no records of receiving any complaints on this property.*

### **Comment #53 (Environmental Impacts)**

We don't know any technical stuff about what goes on there. The community probably doesn't know what hazardous -- what solid waste will be stored there. I know because our field rep has done a lot of research, but the community probably has no idea what solid waste will be stored there as a result of this expansion.

#### **Response:**

*EES is currently storing liquid used oil, waste antifreeze, and oily water in ten tanks. The permit, if issued, will allow EES - Carson to store eighty 55-gallons drums of solid*

*hazardous waste. This waste will consist of soil or debris contaminated with oil or antifreeze (i.e., oily rags, cat litter used to absorb small oil spills at gas stations, etc.).*

**Commentor: John Allman**

**Comment #54 (Health Effects)**

And it seems to be a dumping ground for toxic waste. Every time you look up there's another one moving in, and there's no impact studies or nothing done. On Walnut there's a cul-de-sac of about eight houses that has somebody in every house that has died of cancer. We just can't accept this kind of stuff anymore. My wife has got cancer, and I'm pretty sure that it comes from this toxic stuff over here.

**Response:**

*See Frequently Asked Questions #2 and Response to Comment #5.*

**Comment #55 (Siting)**

They could take this facility to 223rd Street east of Wilmington Avenue where there's no houses, where there's nobody living so close. Somehow they should find a location where it won't be near schools and residents and the property owners' houses. So I want them to pack up and move.

**Response:**

*See Response to Comment #5.*

**Commentor: Isaac James**

**Comment #56 (Environmental Impacts)**

Mr. Barron first stated that actually the place should be removed, but if we can't do that or won't do that, at least take heed of what has been said before and give it a better study.

**Response:**

*See Response to Comment #5 and Frequently Asked Questions #2.*

### **Comment #57 (Public Participation)**

As Councilman Sweeny said, put the brakes on it for now and let more of the people in the city know about it. I live in that area and I didn't know it was a toxic waste facility until the first notice came out, and I was there since before Carson was a city.

#### **Response:**

*This Response to Comments will be sent to all persons providing comments during the public comments period. Additionally, DTSC will be send a notice to everyone on DTSC's mailing list informing them that this Response to Comments has been issued and how they can go about obtaining it. DTSC will also revise the Initial Study and Negative Declaration, and will be issuing a public notice announcing the public comment period to solicit comments on this project. DTSC will ensure that the City of Carson Planning Department and the City Council are notified of this notice.*

*See also Response to Comment #30.*

**Commentor: Gladyce Wall**

### **Comment #58 (Site Conditions)**

This company has recently painted the front of the building. It was in shabby condition, but I guess because they knew that they were coming to you to get this permit, they decided to kind of clean it up. That little street, San Pedro Place, there's a sump before you even get in there. When it's raining the water is out in the middle of the street.

#### **Response:**

*DTSC believes Ms. Wall's comment is about Evergreen's Administrative Office located at 16540 South San Pedro Street. The road leading to the office building property backs up to and is contiguous with the Facility operation which is located at 16604 South San Pedro Street. The Administrative Building was painted in the spring of 1997, just prior to Evergreen moving its office staff into the building.*

*On December 17, 1998, the DTSC's Project Manager and an inspector from DTSC's Compliance Division conducted an unannounced compliance evaluation inspection of the Evergreen facility. On February 17, 2000 and prior to the public hearing, the DTSC's Project Manager visited the facility again and did not notice any cosmetic fixes (painting of the building, etc.). DTSC does not believe the physical appearance of the facility has changed since the inspection on December 17, 1998.*

*There is a storm water drain at the south end of the parking lot for Hemingway Park. During rainstorms, water does accumulate at the intersection of South San Pedro and South Avalon street., and accumulated water does at times extend to the middle of the number 3 land of South Avalon Street. The puddle water in the street is an issue with the City of Carson storm water drainage.*

**Comment #59 (Traffic Flow)**

They can only enter that facility if they're going south on Avalon. They cannot make a left turn at Gardena. They must go around and sort of make a U-turn to come back and dogleg in.

**Response:**

*The 16000 block of South San Pedro Street is a short street between East Walnut and East Gardena. Vehicle traffic can egress and ingress going north or south on South Avalon, as there is a break in the traffic medium.*

**Comment #60 (Siting)**

That is not the place for it.

**Response:**

*See Response to Comment #29*

**Comment #61 (Siting)**

Here in the City of Carson our vision for the future does not include getting rid of dump sites and junkyards and then bringing in toxic waste and stick them on the residents that have been here for 33, 35 years. So many things get shoved down our throat and they're telling us they're going to bring in one thing, then they bring in something else.

**Response:**

*See Response to Comment #29*

**Comment #62 (Monitoring and Enforcement)**

We know that the government is very lax in policing these facilities. And because we have the Alameda corridor running over in another area, how are we to know they will not be bringing that type of soil, since they will be accepting soil.

**Response:**

*The solid waste EES - Carson is proposing to accept consists of soil or debris contaminated with oil (e.g. oily rags, cat litter used to absorb up small oil spills at gas stations, etc.). The waste will be shipped to EES - Carson under manifests that record the type and quantity of waste. DTSC reviews the manifests during inspections to ensure that EES - Carson complies with their permit. The manifest are public record and may be inspected by any interested parties*

**Comment #63 (Environmental Impact Report)**

So we urge you not to give them this permit. Do the EIR as requested, because we will be at the city council and at all the planning commissions to make sure that they do not shove this down our throats for all the reasons that the other speakers have spoken. We live here, and we do not want this -- not in our backyard, front yard nor side yard.

**Response:**

*See Frequently Asked Questions # 2.*

**Comment #64 (Monitoring)**

I wanted to ask you a direct question concerning toxic waste sites located on Main Street between El Segundo and 135th. That company has been cited numerous times. The people over there have babies dying of cancer, all types of incidents. So I'm just wondering how closely these businesses are being monitored because that one has been found in serious violation.

**Response:**

*DTSC is unaware of the sites "located on Main Street between El Segundo and 135<sup>th</sup>" as reference by Ms. Wall. However, DTSC does conduct periodic inspections at the facility to ensure that EES - Carson is in compliance with its permit and state and federal regulations.*

**Comment #65 (Public Participation)**

Many of those on the mailing list are businesses. They're on record as being the owner of a property. They don't live in Carson. So they probably could care less what they put in here. And why was information at the Compton public library. Why is it not at the Carson public library?

**Response:**

*Both residences and businesses within a 1/4 mile radius were included on the mailing list. DTSC mails the notices to all affected addresses within the 1/4 mile radius and does not make a distinction between business and residences. Both the Compton and Carson public libraries were used as information repositories, as well as the City of Carson Planning Department.*

**Commentor: William H. Brown**

**Comment #66 (Safety Precautions)**

I'm aware that in the event anything happens there, I would be affected. This matter should be given much more attention before it's permitted to go forward. I heard that all employees are properly trained in contingency plans. If this place is so foolproof what contingency plans are we talking about?

**Response:**

*The Contingency Plan is part of the Permit Application and contains written instructions of procedures to be follow in the event of emergency (i.e., fire, explosion, release, etc.). The Contingency Plan is designed to protect human health and the environment. The Contingency Plan is implemented by the person who discovers the emergency. He/she notifies the Emergency Coordinator and initiates the appropriate emergency procedures. If the emergency coordinator determines that the facility had a release, fire, or explosion which could threaten human health, or the environment, outside the facility, the emergency coordinator shall immediately notify the State Office of Emergency Services and appropriate local authorities.*

*In addition, there are safety features built into Evergreen's operations, see Response to Comment #14 for details.*

**Comment #67 (Environmental Impact Report)**

What environmental benefits does one more pipeline bring to the City of Carson? And why has the California Environmental Quality Act not been brought into play to do an evaluation? We don't need another environmental impact report from a negative standpoint. We need a California Environmental Quality Act report.

**Response:**

*Each city has its own business and land use plan. The Department of Toxic Substances Control can not speak of the benefits that the EES - Carson facility will bring to the City of Carson. EES - Carson does provide a beneficial service to the area automotive industry and to the area residents through the collection of used crank case oil and waste antifreeze resulting from automotive repairs. As to the document prepared pursuant to California Environmental Quality Act, please see Frequently Asked Questions #2.*

**Commentor: Dr. Rita Boggs**

**Comment #68 (Environmental Impacts)**

It says in this statement that we have oil contaminated solid waste. If the oil is used in engines, and the used oil contains metals, are we then going to be allowing them to bring in metals that we now have to get rid of as well? They would be storing this stuff in DOT drums. Are those drums approved for that kind of storage? One of the big concerns about the current use of MTBE in gasoline is its solubility, the fact that if it gets into the groundwater, it dissolves in it, and it's going to be very difficult to get it removed from the groundwater.

Well, those of you who work on cars know very well that antifreeze is also soluble in water. You mix it with water when you use it. So if you're now going to allow that here for storage and this begins to leak, now are we going to have the problem of something else contaminating our groundwater which is soluble in it?

**Response:**

*EES - Carson will not handle gasoline products. EES - Carson will be permitted to accept used oil, waste antifreeze, oily water, and solid oily waste such as soil and debris contaminated with oil or antifreeze. These wastes will be stored in DOT approved drums. EES - Carson has a daily inspection program and any releases should be detected during the inspection. All releases shall be contained as soon as practical to prevent any releases from migrating into soil and groundwater.*

**Commentor: Martin Dunbar**

**Comment #69 (Environmental Impacts)**

Every time we say toxic waste (hazardous waste) everybody becomes deathly afraid of it. I don't know what this toxic phrase is. I am concerned with the negative declaration. I think

that you've already signed our death warrants. The stuff we got here, we go to Berkeley with it? And they take it from there and go somewhere else with it; right? And the federal government doesn't even regulate this stuff. Other states doesn't even regulate this stuff. Why here in California are we regulating this stuff? If it's not toxic, why are we doing it?

**Response:**

*The EES - Carson facility collects these wastes and then transports them to its refining facility at Newark, in Northern California, near Berkeley.*

*The State of California has passed regulations often more stringent than the federal regulations. As such, some waste streams not regulated by the federal government (i.e., used oil, waste antifreeze, oily wastewater, and oil contaminated soil or debris) are classified as California-only hazardous waste. Although the waste streams handled by EES - Carson are very common and pose very low risk to humans, they can do environmental harm if not managed properly. For example, if used oil or waste antifreeze is discharged into a stream, lake, or the bay, it can kill fish and birds. Therefore, the State of California regulates its management as hazardous wastes.*

**Comment #70 (Public Participation)**

I think you should try to and give us more input. I think you should define what you came out here to do tonight. Because I am more confused than I was before I got here.

**Response:**

*The intent of the meeting was to provide a summary of the documents that are available at the public repositories and to solicit comments and concerns from the community. We encouraged comments and questions throughout the comment period. For this project, we had a 45-day comment period that was extended by an additional 30 days to provide a hearing at the City of Carson's request.*

**Comment #71 (Capacity)**

How many drums will we have over at this place? How long has Evergreen been at this location? -- now they say about six years. If this permit is denied, how much impact would that have on their business? Like the councilman says, I think we need to stop and study this thing.

**Response:**

*EES - Carson has been at the site since 1993. EES - Carson will have an additional eighty 55-gallon drums of oily contaminated (solid) waste and ten 55-gallon drums of liquid waste, such as used oil, used antifreeze or oily water.*

*DTSC can not predict the impact that a permit denial may have on Evergreen's business. If the permit is denied, the EES - Carson facility can still operate as a hazardous waste transporter and transfer station (less than ten days storage) without using the hazardous waste storage tanks.*

**Comment #72 (Permit Requirements)**

What is done with this stuff? Why is this stuff classified as toxic?

**Response:**

*EES - Carson is a subsidiary of Evergreen Holdings Inc. which owns a used oil refinery in Newark, California. The refinery recycles used oil and waste antifreeze to make new products. The refinery also treats oily wastewater.*

*See also Frequently Asked Questions #1.*

**Comment #73 (Enforcement)**

Who will make sure that Evergreen will keep it free of dirty drums, spilled oil and other debris?

**Response:**

*DTSC will conduct periodic inspections at Evergreen. The inspections are unannounced and consist of site inspections and records review to ensure that only permitted wastes are accepted; any spills are contained, cleaned up and recorded; routine facility inspections are conducted; personnel are properly trained; etc.*

*If there are any violations resulted from the DTSC's inspections, Evergreen will be subjected to compliance schedules with or without penalties. If the violation or noncompliance shows a repeating pattern or may pose a threat to public health or safety or the environment, DTSC may temporarily suspend or revoke the facility permit.*

**Commentor: Troy Strange**

**Comment #74 (Safety Precautions)**

I'm not even requesting any more studies. My thing is to have it removed. If it's toxic, it shouldn't be there anyway regardless of what studies you can come up with because in the event of an earthquake or anything else if it spills out, people in the area are going to be affected adversely.

**Response:**

*See Responses to Comments #29, #38, and #45.*

**Comment #75 (Siting)**

How do we start something to get it removed? I don't know what the process is, but I want to look into just having it removed altogether because it shouldn't be there in that area where there's parks, schools and residents.

Now that I know where it's at, it's actually in people's backyards, and that's not good.

**Response:**

*The California Health and Safety Code, Division 20, Chapter 6.5, Section 25186, and the California Code of Regulations, Division 4.5, Title 22, Section 66270.41, 66270.43 and 66271.4 state that DTSC may deny, suspend or revoke a facility permit. Any person may request that a permit be revoked. The request shall be in writing and contain facts or reasons supporting the request. Permits may be revoked if DTSC finds any of the following causes exist: a facility's violation or noncompliance shows a repeating pattern or may pose a threat to public health or safety or the environment; facility misrepresents or omits a significant fact or other required information in the application*

**Commentor: James Dear**

**Comment #76 (Environmental Impacts)**

Toxic chemicals are transferred from one truck and stored and then transferred to another truck. The time of transfer, which is two times for this toxic material, is a dangerous time for the people who live near it. You should not have toxic facilities next to parks or residential areas. And I just want to voice my opinion and ask you to deny this company's permit, let this company appeal the denial, and then let them present proof that this is

harmless to the people of Carson. I would like to know when it became a toxic substance storage facility. Is the ground underneath the concrete contaminated? Is the groundwater contaminated? How far around the facility is it contaminated if it is? Is the parkland contaminated underneath?

**Response:**

*See Frequently Asked Questions # 1 and #3, and Response to Comment #32.*

**Comment #77 (Public Participation)**

We have a branch called the Victoria Park library very close to the location of this facility. It's on Avalon at Victoria Street. Just like maybe 40 yards north of Victoria Street on Avalon. It's called the Victoria Park library. It's a county library facility.

**Response:**

*DTSC selected the information repositories using the City of Carson's web site directory and a vicinity map. The Victoria Park library was not prominently shown. If needed in the future, the Victoria Park Library will be used as an information repository for the EES - Carson facility.*

**Commentor: Leo Moore**

**Comment #78 (Traffic impacts)**

What about the traffic? How many more trucks will be coming in since you're going to expand the operation? I understand they're their own trucks. But these trucks, they will not be increased?

**Response:**

*The expected increase of traffic will be about one percent. See also Response to Comment #55.*

**Comment #79 (State Obligations)**

You're a state representative, right? Because in my opinion, you're answering kind of like a politician because you mention you intend to do certain things, but you are not saying "I will not issue a permit, I'll do thus and thus if we find that the communities don't want it." You say "My intentions are." And that sounds like you might be -- you know, you're just kind of part of the operation.

If the city should deny this license or whatever the city has to issue, can the state override the city's opinion?

**Response:**

*Evergreen's land use is under the jurisdiction of the City of Carson. If the city does not approve Evergreen's land use, DTSC can not override that decision. The applicant may then appeal the local land use decision to the Governor's Office of Planning and Research.*

**Commentor: Robert Lesley**

**Comment #80 (Environmental Impact Report)**

What's the difference between the environmental impact studies in reference to the technical review study. Is your study as thorough as that of the environmental impact study? What I want to know is does your study include the impact on soil and water? Someone else also asked, does the water have any contamination in it?

**Response:**

*The environmental impact study is required under the California Environmental Quality Act (CEQA) for all discretionary activities proposed to be carried out or approved by California public agencies including state, regional, county and local agencies. The decision to approve or deny a hazardous waste facility permit application is a discretionary activity. Therefore, DTSC is required to comply with CEQA. Compliance with CEQA involves the preparation of an Initial Study to determine whether Evergreen's operations, as stated in the EES - Carson permit application, may have significant environmental effects. The Initial Study considers 19 categories of impacts. A Negative Declaration is prepared if no significant effects will occur, otherwise an Environmental Impact Report is prepared if the project will have a significant environmental effect.*

*The technical review is the review of the design, process flow and other technical aspects of the operations to determine whether they meet engineering, technical and regulatory requirements.*

*DTSC is mandated by statute and regulations to make permit decisions that are protective of public health and the environment. DTSC exercises independent analyses and judgment in evaluating an applicant's submissions and representations. Numerous documents are usually returned for revision prior to a final document being deemed*

*acceptable to DTSC. Analyses by DTSC are conducted pursuant to DTSC and U.S. EPA guidance documents and statutory standards, including but not limited to:*

- \* California Hazardous Waste Control Law*
- \* California Environmental Quality Act*
- \* California Code of Regulations, Title 22, Division 4, Environmental Health*
- \* California Code of Regulations, Title 14, Section 15000 et seq.*
- \* Test Methods for Evaluating Solid Waste, Third Edition, SW-846, Office of Solid Waste*
- \* Waste Analysis Plans Guidance Manual, Office of Solid Waste, Document No. OSW-0000846*
- \* Workbook for Conducting Initial Studies Under the California Environmental Quality Act*
- \* Permit Applicant's Guidance Manual for the General Facility Standards of 40 CFR 264*
- \* Sax-Properties of Industrial Chemicals*

*See Response to Comment #8 for site assessment.*

### **Comment #81 (Public Participation)**

How does the department that you work for choose whom they're going to mail notification to? Where do the 500 residents come from? How do people get to be notified?

### **Response:**

*DTSC requested that Evergreen provide a mailing list to us. Evergreen contracted with a title search company to provide a list that included almost 3,000 addresses within approximately a one-mile radius. Using a street map, we eliminated those addresses outside the 1/4-mile radius. We added over 300 names from a petition submitted to the Carson City Council, which was provided to us by Carson City Planning Department. Some of those people may have received duplicate notices. We have since removed the duplicate names from our mailing list.*

### **Comment #82 (Siting)**

How does the Department (of Toxic Substances Control) place a facility or storage in a city without notifying the city, when the city doesn't know until the facilities are actually in the community? When did this facility start taking in toxics?

#### **Response:**

*See Frequently Asked Questions #3 and Response to Comment #29.*

**Commentor: Frank Starks**

### **Comment #83 (Public Participation)**

When the notice came out, it didn't come in a letter, it came in a flier. The only reason I knew what it was is through Mr. Allman, because most kind of junk mail, I take it and throw it in the trash can. What I want to know is does your study include the impact on soil and water?

#### **Response:**

*All DTSC notices are sent by first class mail with a State seal in the upper left corner. Therefore, they are not usually inserted into envelopes. DTSC will work on ways to alert recipients of the importance of the materials for future mailings.*

*The initial Study in the Environmental Setting and Impact Analysis discusses the potential impact on soil (Earth) and water (Surface and Groundwater) by this project. There was an assessment of the site before Evergreen started its operations.*

*See Responses to Comment #56 and #76 on site assessment.*

### **Comment #84 (Applicant Participation)**

The fellow from Evergreen, he's not a very good a salesman or doesn't know what he's doing, because he can't explain what is happening with Evergreen -- and he's supposed to be their plant manager.

You know, if I work in a place and I come in and talk to you, I'm going to have my homework done before I get here and I'm going to sell you my bill of goods. But he really don't know what's happening. I mean it's been there for five years. Why enlarge something when you can't explain to the neighbors what's going on?

**Response:**

*DTSC did not invite the facility owner or operator to participate in our public hearing. The facility owner or operator may make comments as part of the audience just like any member of the community.*

**Commentor: Unidentified Speaker**

**Comment #85 (Environmental Impact Report)**

The environment impact doesn't have to come in and issue any type of reports or they don't have to have any type of studies whatsoever to come in? So your study can be that if you feel from your analysis that everything is all in order, then you can issue the permit? So we have six days to read that textbook and comment?

**Response:**

*DTSC provided the public in the City of Carson with a total of 75 days for public comments. Public comments are very important to us in this decision-making process. No final decision is made on whether to approve or deny the proposed permit modifications until all comments have been considered. We understand the community's concern regarding this facility; however, we must weigh those concerns versus the rights of the applicant in making a fair decision that is protective of public health and the environment. Please also understand that the evaluation of the EES - Carson permit application is not based on the popularity of the project. DTSC's evaluation will be based on the technical merits of the project.*

*See also Frequently Asked Questions #2.*

**Commentor: Henry Payne**

**Comment #86 (Siting)**

I am opposed to granting a Standardized Hazardous Waste Facility Permit and Negative Declaration to Evergreen Environmental Services. First of all, this facility is too close to our homes and is next door to our park. Second this facility has had past violations with their present permit and to allow this facility to expand their operations and collect contaminated solid waste would be a grave mistake.

**Response:**

*See Response to Comments #28 and #29.*

**Commentor: George A. Hall III**

**Comment #87 (Siting)**

I do not recall having been notified in 1993 that Evergreen would operate from this location. Why did the State permit a hazardous waste facility so close to residential areas when there are several large fill areas, away from homes, in the southern part of Carson?

**Response:**

*Prior to 1996, there was no regulatory requirement to notify interested parties that DTSC had received a permit application for a hazardous waste management facility; only a requirement to notify interested parties when a draft permit was circulated for public review and comments. Evergreen was granted a variance and approval to construct the facility on May 28, 1992. That is why there was no notification sent out in 1993.*

*See also Response to Comment #29..*

**Comment #88 (Heath Effects)**

Now that the hazardous waste facility has been operational for several years, has the State conducted any inquiries/research to determine if Evergreen has had a negative effect on the health of those living in the area? If not, why not, and how can renewal of Evergreen's permit be favorably considered without a study first being conducted by the State, not Evergreen.

**Response:**

*DTSC has not conducted any inquiries/research to determine if Evergreen has had a negative effect on the health of those living in the area. DTSC also does not have any knowledge of any other state agencies conducting such a study.*

*The Agency for Toxic Substances and Disease Registry has conducted studies on the health effects of used oil and waste antifreeze and found that these wastes pose a low risk to the human health.*

*Additionally, EES - Carson will be required to perform daily inspections of the tanks and containment system and at a minimum, weekly inspections of the drum storage areas to ensure that the tanks, containers, and containment system are not leaking or deteriorating due to corrosion or other factors such as operator error. These inspections must be done in writing and become part of the facility's operating record. DTSC will perform annual inspections at the EES - Carson and during the DTSC inspections, the*

*facility's operating record will be audited to ensure that inspections were actually conducted.*

*These factors were taken into account when impacts to public health was evaluated in the Initial Study. Based on the low risk of wastes handled at the facility, the impacts on public health was determined not to be significant.*

*See also Frequently Asked Questions #1.*

**Commentor: Perita Kay Boyd**

**Comment #89 (Siting)**

I object to the proposed hazardous waste storage facility, Evergreen Environmental Services.

**Response:**

*Comment noted.*

**Comment #90 (Siting)**

This type of facility is not only hazardous to the health of the citizens, but would decrease property values.

**Response:**

*Prior to Evergreen's occupancy, the site has been used by other businesses for similar operations or handled similar materials.*

*See also Frequently Asked Questions #3.*

**Comment #91 (Siting)**

Find another location.

**Response:**

*Comment noted.*

*See also Response to Comments #29.*

**Commentors: Peter and Edna Andrews**

**Comment #92 (Siting)**

Move this facility to another location away from homes, schools and parks.

**Response:**

*Comment noted.*

*See also Response to Comments #29.*

**Comment #93 (General)**

Deny the permit.

**Response:**

*Comment noted.*

**Comment #94 (Soil Testing)**

Test the soil, water etc. a mile around the site for previous contamination and current contamination.

**Response:**

*See Response to Comment #56.*

**Commentor: Mr. Stephen J. Buswell, IGR/CEQA Program Manager, Department of Transportation (Caltrans):**

**Comment #95 (Traffic)**

We (Caltrans) recommend that truck trips during commuter peak periods be avoided.

**Response:**

*DTSC appreciates the concerns on traffic congestion during traffic peak periods. The number of truck trips resulting from the Evergreen operation is insignificant compared to the capacity of the nearby roads.*

*Evergreen's driveway is wide enough for two-way traffic and provides direct access to South San Pedro Street. Trucks enter and exit the site on South San Pedro Street. The truck traffic then would blend into existing patterns on Avalon Boulevard without disrupting the north/south traffic flow due to speed or volume. Avalon Boulevard is classed as a major highway. It has two lanes in each direction with a daily traffic count of 25,000 vehicles.<sup>5</sup> It provides convenient north-south access to the 91 Freeway. The 91 Freeway is located less than one mile from the project site. An optional route for project traffic is to head west on Gardena or Redondo Beach Boulevard from Avalon to enter the 110 Freeway.*

**Commentors: Petition submitted with 353 Signatures**

**Comment #96**

We, the residents of Carson, are opposed to any expansion by Evergreen Environmental Services, located at 16604 S. San Pedro Street, Carson California 90746. They (Evergreen) are an operating dump and transfer station, storing toxic waste in this area, near homes and schools. This is bad for the health of all and will lower the value of our properties.

**Response:**

*The EES - Carson facility is not a hazardous waste dump site.*

*See Frequently Asked Questions #1, 2, 3, and 4.*

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<sup>5</sup> Carson General Plan Update, Existing Conditions Report, July 1999.